



STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF	:	
	:	Administrative Action
JEIMI ULLOA, L.P.N.	:	
License No. 26NP06760600	:	FINAL ORDER
	:	OF DISCIPLINE
TO PRACTICE NURSING	:	
IN THE STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Nursing (the "Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Jeimi Ulloa ("Respondent") is licensed as a licensed practical nurse in the State of New Jersey and has been a licensee at all relevant times.

2. The Board has obtained information that Respondent was arrested on August 2, 2012, by the Essex County Sheriff's Office, for three counts of Crime of Insurance Fraud in violation of N.J.S.A. 2C:21-4.6(a), one count of Aggravated Arson in violation of N.J.S.A. 2C:17-1(a), one count of Theft By

Deception in violation of N.J.S.A. 2C:20-4 and one count of Criminal Attempt in violation of N.J.S.A. 2C:5-1.

3. The Board sent Respondent a letter of concern advising her that any future arrests would be closely scrutinized.

4. On or about April 5, 2013, the Board received a flagging notice indicating that Respondent was arrested on April 4, 2013, by the Elmwood Park Police Department for Possess Marijuana/Hash Under in violation of N.J.S.A. 2C:35-10(a)(4).

5. On or about April 8, 2013, the Board sent Respondent, via certified and regular mail, a Flagging Letter ("Letter") relating to the arrest. The Letter requested that Respondent provide information relating to eight items, directed Respondent to respond within 20 days, and informed Respondent that her failure to respond could result in disciplinary action.

6. The certified mail was delivered and the regular mail was not returned.

7. On or about June 19, 2013, the Board received a flagging notice indicating that Respondent was convicted on June 4, 2013, of Prowling Public Places - Controlled Dangerous Substance in violation of N.J.S.A. 2C:33-2.1 and assessed \$666.00.

8. The Respondent has not contacted the Board to respond to the Letter.

### CONCLUSIONS OF LAW

The Board finds that Respondent has been convicted of, or engaged in, acts constituting a crime or offense relating adversely to the practice of nursing pursuant to N.J.S.A. 45:1-21(f).

Additionally, Respondent's failure to respond to the Board's Letter constitutes a failure to cooperate with a Board investigation, in contravention of N.J.A.C. 13:45C-1.2 and 1.3, which the Board deems professional misconduct subjecting Respondent to disciplinary action pursuant to N.J.S.A. 45:1-21(e) and (h).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on July 3, 2014, provisionally suspending respondent's nursing license, and imposing a reprimand and a \$500.00 civil penalty. A copy of the Order was served upon respondent by certified and regular mail at her address of record. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30<sup>th</sup> business day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings

and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

Ms. Ulloa replied to the Provisional Order, via her attorney, Michael A. Cassata, Esq. Mr. Cassata argued that Ms. Ulloa had been admitted into the Pre-Trial Intervention Program in connection with one arrest, which she successfully completed, and that she has satisfied the State of New Jersey in all respects. The Board noted that, although a number of character references were included with this submission, her narcotics-related conviction for prowling public places was not addressed in these references, nor was her other arrest. In a later submission from the attorney, dated November 5, 2014, respondent furnished a narrative statement maintaining that a friend had left a pack of cigarettes containing marijuana in her car, and that she was unaware that there was marijuana in the pack. Ms. Ulloa also submitted a copy of the municipal court complaint relating to the arrest; information about her current employment; and a printout of continuing education courses completed from August through October of 2014 (although she did not submit copies of the certificates of completion). The dates on the printout indicate that Ms. Ulloa did not complete any of this continuing education during the 2012-2014 licensing cycle.

The Board considered this matter, and found that the information requested in April of 2013, about an arrest that resulted in a conviction in June of 2013, was not fully supplied until November of 2014. Therefore, respondent's failure to cooperate with the Board's investigation within a reasonable time is clear. Moreover respondent's guilty plea to an offense relating adversely to the practice of nursing cannot simply be disregarded. The fact that the original charges were plea-bargained to a lesser charge does not indicate that there is no basis for either charge. However, in light of the fact that respondent has finally supplied all the information originally requested of her, the Board determined to modify the length of the suspension to be imposed to three months, with the finalized order to include the reprimand and the \$500 civil penalty.

ACCORDINGLY, IT IS on this 17<sup>th</sup> day of March, 2015,

ORDERED that:

1. Respondent's license to practice as a licensed practical nurse is hereby suspended for a minimum of three (3) months.

2. Respondent's license shall not be reinstated until such time as Respondent is evaluated by the Recovery and Monitoring Program ("RAMP").

3. Respondent shall follow the recommendations made by RAMP and/or the evaluator for further treatment and/or a more lengthy enrollment in RAMP.

4. Nothing in this Order shall limit the Board from taking further disciplinary action upon reinstatement, based on information received indicating that respondent failed to timely complete her continuing education obligation for the 2012-2014 licensing cycle.

5. A civil penalty in the amount of five hundred dollars (\$500) is hereby imposed upon Respondent for professional misconduct and her violation of board regulations. Payment shall be made by certified check or money order payable to "State of New Jersey," delivered to George Hebert, Executive Director, State of Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101. Payment shall be made no later than fifteen (15) days after the entry of this order. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

6. Respondent is hereby reprimanded for her violation of N.J.S.A. 45:1-21(f).

7. Upon finalization of this Provisional Order, Respondent shall refrain from practicing as a licensed practical

nurse in the State of New Jersey and shall not represent herself as a licensed practical nurse in the State of New Jersey until such time as Respondent's license is reinstated. Any practice in this State prior to reinstatement shall constitute grounds for a charge of unlicensed practice.

NEW JERSEY STATE BOARD OF NURSING

By: *Patricia Murphy PhD APN*  
Patricia Murphy, PhD, APN  
Board President